

THE LAW OFFICE OF

ELISA HYMAN, P.C.

May 31, 2023

BY ECF

Honorable Steward D. Aaron, U.S.M.J.
United States District Court
Southern District of New York
500 Pearl St.
New York, New York 10007

**USDC SDNY
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Re: *Y.W., et al. v. New York City Department of Education, et al.*,
22-cv-1036 (GHW)(SDA)

Dear Judge Aaron:

I represent the Plaintiffs in the above-referenced case and am writing jointly on behalf of both parties to request a stay of discovery until June 27, 2023, to allow the parties to make a concentrated effort to try to reach a settlement in principle concerning the compensatory services in the case. In the alternative, the parties are requesting an extension of time until June 27, 2023, to advise the Court of any discovery dispute and Plaintiffs are requesting a *nunc pro tunc* extension of time to serve a revised discovery demand for systemic claims, to June 19, 2023.¹

The parties reinstated their settlement negotiations on or around the time of the last conference before Your Honor. On May 10, 2023, Plaintiffs submitted a revised settlement demand and on May 26, 2023, Defendants submitted a counteroffer that narrowed the gap between the parties. Unfortunately, our client, Y.W., is sick this week, and is unable to actively engage in a response to the counteroffer. However, given our preliminary discussions with our clients and each other, we are optimistic that we will be able to reach a settlement in principle on services, which would leave only the remaining tasks to complete the settlement: (i) stipulation language and other terms of the agreement; and (ii) attorney's fees.

Accordingly, the parties are requesting a stay of discovery until June 27, 2023, holding the issues to allow the parties to make a concentrated effort to try to reach a settlement in principle. We propose that we submit a status letter on or before June 27, 2023. If we reach a settlement in principle on or before June 27, 2023, we will propose a schedule for completing the remaining steps of the settlement. If we fail to reach a settlement or settlement breaks down on or before June 27, 2023, the parties will submit a letter to Your Honor proposing revised deadlines

¹ Last week, Plaintiffs had advised Defendants that they needed additional time to serve the revised requests and Plaintiffs had hoped that it would not be necessary to do so given the settlement negotiations that were underway. Plaintiffs apologize for not seeking an extension prior to the expiration of the deadline. Our office had several emergency issues last week and Plaintiffs' counsel had a personal health issue.

and dates to comply with Your Honor's order dated May 11, 2023. ECF No. 58. Alternatively, we are requesting the above extension of the timelines.

Thank you for Your Honor's consideration of the requests.

Respectfully submitted,

s/

Elisa Hyman, Esq.

cc: Counsel of record (*via* ECF)

ENDORSEMENT: Application GRANTED. SO ORDERED.

Dated: June 1, 2023

A handwritten signature in blue ink, appearing to read "Stuart D. Aaron".